

**Certificate of Notice Page 1 of 3**  
 United States Bankruptcy Court  
 Eastern District of Pennsylvania

In re:  
 Omar Feliciano  
 Isanette Ayala  
 Debtors

Case No. 18-10933-mdc  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0313-2

User: Virginia  
 Form ID: pdf900

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Nov 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2019.

db/jdb +Omar Feliciano, Isanette Ayala, 800 Trenton Road, Apt 189, Langhorne, PA 19047-5610

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 17, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2019 at the address(es) listed below:

ANTHONY ST. JOSEPH on behalf of Creditor United States of America on Behalf of IRS  
 anthony.stjoseph@usdoj.gov, mardella.suarez@usdoj.gov, CaseView.ECF@usdoj.gov  
 CANDYCE I. SMITH-SKLAR on behalf of Joint Debtor Isanette Ayala mail@njpalaw.com,  
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 CANDYCE I. SMITH-SKLAR on behalf of Debtor Omar Feliciano mail@njpalaw.com,  
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 JIM PEAVLER on behalf of Creditor PA Dept of Revenue RA-occbankruptcy1@state.pa.us,  
 RA-occbankruptcy6@state.pa.us  
 JOSHUA DOMER on behalf of Creditor City of Philadelphia joshua.domer@phila.gov,  
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 KEITH D. SKLAR on behalf of Joint Debtor Isanette Ayala mail@njpalaw.com,  
 r56958@notify.bestcase.com  
 KEITH D. SKLAR on behalf of Debtor Omar Feliciano mail@njpalaw.com, r56958@notify.bestcase.com  
 KEVIN G. MCDONALD on behalf of Creditor Toyota Motor Credit Corporation  
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 KEVIN G. MCDONALD on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com  
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TOTAL: 11

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 13  
Omar Feliciano and Isanette Ayala, :  
Debtors. : Bankruptcy No. 18-10933 mdc

**ORDER**

**AND NOW**, on August 15, 2019, the debtors, Omar Feliciano and Isanette Ayala (the “Debtors”) filed the Motion to Modify/Cramdown Claim of Internal Revenue Service (6-2) (the “Motion “).<sup>1</sup>

**AND**, on September 3, 2019, the Internal Revenue Service (the “IRS”) filed the IRS’s Response to Debtors’ Motion to Modify the Internal Revenue Service’s Claim (the “Response”).<sup>2</sup>

**AND**, on September 10, 2019, the Court held a hearing on the Motion and the Response (the “Hearing”).<sup>3</sup>

**AND**, at the close of the Hearing, the Court ordered the Debtors and the Internal Revenue Service (the “IRS”) to file simultaneous briefs in support of their respective arguments (“Brief in Support”) on or before October 17, 2019.<sup>4</sup>

**AND**, as of the date of this Order, no Brief in Support has been filed by either the Debtors or the IRS.

It is hereby **ORDERED** that the Motion is **DENIED** for failure to prosecute. *See Hewlett v. Davis*, 844 F.2d 109, 114 (3d Cir. 1988) (“The power to dismiss for failure to prosecute, which may be exercised with or without notice or opportunity to be heard, rests in the discretion of the trial court and is

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<sup>1</sup> Bankr. Docket No. 45.

<sup>2</sup> Bankr. Docket No. 49.

<sup>3</sup> Bankr. Docket No. 50.

<sup>4</sup> Bankr. Docket No. 50.

part of its inherent authority to prevent undue delays in the disposition of pending cases and to avoid congestion in its docket.”).

Dated: November 15, 2019



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MAGDELINE D. COLEMAN  
CHIEF U.S. BANKRUPTCY JUDGE

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